

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CHARLES HADDAD,

Plaintiff,

vs.

Civil Action
No. 04-CV74932

INDIANA PACERS, an assumed name, a/k/a
PACERS BASKETBALL CORPORATION, an
Indiana corporation, JERMAINE O'NEAL and
ANTHONY JOHNSON, Jointly and Severally,

Hon. Anna Diggs Taylor
Mag. Judge Donald A. Scheer

Defendants.

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**MOTION TO STRIKE DOCUMENT #100, MOTION FOR ORDER
TO SHOW CAUSE WHY SETTLEMENT SHOULD NOT BE ENFORCED**

NOW COMES Interested Party, Charfoos & Christensen, P.C. and for their
Motion to Strike Document #100, states as follows:

1. That on December 14, 2006 at 3:23 p.m., Interested Party Charfoos & Christensen, P.C., e-filed Document #100, Motion for Order to Show Cause Why Settlement Should Not Be Enforced, along with Exhibit 1 – Release.

2. That the parties agreed to confidentiality when settlement of the parties was placed on the record before Magistrate Judge Mona Majzoub.

3. That due to the confidentiality of the settlement, Interested Party Charfoos & Christensen, P.C. respectfully request that Document #100, along with its Exhibit 1 – Release be struck from the record and re-filed under seal to protect the confidentiality of the settlement.

BRIEF IN SUPPORT OF MOTION TO STRIKE DOCUMENT #100

Under LR 5.3 this settlement and the Release associated with it, have been deemed confidential and may only be filed under seal. Document #100 was inadvertently filed without being filed under seal, therefore we ask that you allow Document #100 to be stricken.

CHARFOOS & CHRISTENSEN, P.C.

BY: s/Lawrence S. Charfoos
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Attorneys for Plaintiff

Dated: December 14, 2006

CERTIFICATE OF SERVICE

I hereby certify that on December 14, 2006, I presented the foregoing Motion to Show Cause Why Settlement Should Not Be Enforced and Certificate of Service to the Clerk of the Court for filing and uploading to the ECF system which will send notification of such filing to the following: Brian M. Akkashian @ bakkashian@dickinsonwright.com; Richard M. Apkarian @ rapkarian@dickinsonwright.com; Hiaeaki Sano @ sano@millercanfield.com; and Steven M. Potter @ spotter@potterlaw.com; notice will be delivered by other means to: NONE

s/Lawrence S. Charfoos

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lcharfoos@c2law.com
Attorneys for Plaintiff

Dated: December 14, 2006

This will also certify that on December 14, 2006 the undersigned served a copy of the foregoing Motion to Show Cause Why Settlement Should Not Be Enforced and Certificate of Service upon:

Charlie Frank Haddad
9538 East Street
Burt, MI 48417

By enclosing said documents in an envelope and placing the envelope in the U.S. mail with the proper postage thereon.

s/Patricia A. Cotton